

### REMARKS/ARGUMENTS

Claims 7-10 and 18-20 are active. Claims 1-6 and 11-17 have been withdrawn from consideration. Page 14 of the specification has been revised to disable hyperlinks and sequence identifiers as well as a "Brief Description of the Drawings" section heading. A Sequence Listing has been added and the Abstract revised. Claim 7 has been amended for clarity and to further identify the LAPTM4B sequence. Support for the 90% and 95% identities of claims 7 and new claims 18-19 is found on page 6, line 4 of the specification. Claim 20 finds support in prior claim 10. Support is found in original Fig. 3. No new matter is believed to have been added.

### Sequence Listing Statement

As required by 37 C.F.R. 1.821(f), the sequence information recorded in the computer-readable form (CRF) of the substitute Sequence Listing is identical to that in the paper copy of the substitute Sequence Listing; or if this substitute Sequence Listing is electronically-filed, then the sequences in the electronically filed Sequence Listing are identical to the sequences disclosed in this application. The CHECKER program indicated "no errors". Pursuant to 37 C.F.R. 1.821(g) the Applicants state that no new matter has been introduced.

### Restriction/Election

The Applicants previously elected without traverse **Group I**, claims 7-10, directed to a method for identifying a gamma-secretase and/or beta-secretase modulator. The requirement has been made FINAL. The Applicants respectfully request that the claims of the nonelected group(s) which depend from or otherwise include all the limitations of an

allowed elected claim, be rejoined upon an indication of allowability for the elected claim, see MPEP 821.04.

Objection—Specification

The specification was objected to as containing embedded hyperlinks. This objection is now moot in view of the amendments above.

Objection—Sequence Listing

The specification was objected to as failing to comply with the Sequence Rules. This issue is now moot.

Provisional Obviousness-type Double Patenting

Claims 7-10 were provisionally rejected under the judicially-created doctrine of obviousness type double patenting over claims 7, 8, 13 and 14 of copending U.S. Application No. 11/630,076. The Applicants respectfully traverse this provisional rejection since no reason has been given to explain why the copending claims are considered patentably indistinct from claims 7-10 of the present application. Should this provisional rejection be maintained after consideration of the amendments above, the Applicants respectfully request that it be held in abeyance pending the identification of otherwise allowable subject matter in the present application. Upon an indication of allowability for the pending claims, the Applicants understand that the provisional double patenting rejection will be withdrawn, provided the claims in the copending application have not been allowed, MPEP 804(I)(B).

Provisional Obviousness-type Double Patenting

Claims 7-10 were provisionally rejected under 35 U.S.C. §101 as being duplicates of claims 7, 8, 13 and 14 of copending U.S. Application 11/630,076. The Applicants believe that the amendments to the claims above avoid this rejection. Should this provisional rejection be maintained after consideration of the amendments above, the Applicants respectfully request that it be held in abeyance pending the identification of otherwise allowable subject matter in the present application, upon which time any copending duplicate claims can be cancelled.

Rejection—35 U.S.C. §112, second paragraph

Claims 7-10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for various reasons. This rejection is moot in view of the amendments above.

Rejection—35 U.S.C. §112, first paragraph


Claims 7-10 were rejected under 35 U.S.C. 112, first paragraph, as lacking adequate written description. The Applicant respectfully submit that this rejection is moot in view of the amendments above that further describe LAPTM4B by reference to SEQ ID NO: 1.

Conclusion

In view of the amendments and remarks above, the Applicants respectfully submit that this application is now in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

  
\_\_\_\_\_  
Thomas M. Cunningham, Ph.D.  
Registration No. 45,394

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)